

A G E N D A

**REGULAR MEETING
BOARD OF COMMISSIONERS
CITY OF FRANKFORT, KENTUCKY
315 WEST SECOND STREET
FRANKFORT, KY 40601
(502) 875-8500**

**OCTOBER 10, 2002
5:00 P.M. (EST)**

- 1. INVOCATION** - Lynn Terry, Pastor, First Assembly of God
ROLL CALL
MINUTES - September 16 Special Meeting & Work Session, September 19 Regular Meeting
MAYOR'S REPORT

2. CEREMONIAL ITEMS

- (1) Recognition for Promotions Within the Fire Department

Background: Per City practice, the Board of Commissioners traditionally recognizes City employees who have received promotions within the various City departments. At this meeting, the following individuals in the Fire Department will be recognized:

Scott Morgan will be promoted from rank of Lieutenant to rank of Captain,
Douglas Taylor will be promoted from rank of Sergeant to rank of Lieutenant,
Benjamin Boggs, II will be promoted from rank of Firefighter to rank of Sergeant.

- (2) Presentation of the 2001 Life Safety Achievement Award to Frankfort Fire Department from the Residential Fire Safety Institute

Background: For the third consecutive year Frankfort Fire and EMS has received the 2001 Life Safety Achievement Award from the Residential Fire Safety Institute.

The Institute recognizes fire departments annually which have no structural fire deaths. Only those departments which have active fire prevention and public education programs in place are eligible for the award. This year, the Frankfort Fire Department was among only 1,072 fire departments across the nation which have received this recognition. (Only 900 - 1,200 departments have qualified each year.)

Contact Person:

Name: Wallace Possich
Title: Chief
Department: Fire
Phone: (502) 875-8556
E-Mail: WPossich@fewpb.com

3. ORDINANCES

- 3.1 Second reading and adoption of An Ordinance Adopting the Rates of Taxation Fixed by the Frankfort Independent School Board on All Tangible Property and Public Service Companies Subject to Taxation and Levying Said Tax for School Purposes

Purpose: The purpose of this item is to adopt the tax rate established by the Frankfort Independent School Board, in accordance with the provisions of KRS 160.500, which provides for the school taxes to be collected by the regular tax collector of the city in the same manner as other local taxes are collected.

Background: This ordinance had its first reading on September 19, 2002.

Financial Analysis: The City receives a fee equal to 1.5% for collection of the taxes, which totaled \$11,309 for the year of 2001.

Recommendation: Approval

Attachments: Ordinance

Contact Person:

Name: James C. Rogers
Title: Finance Director
Dept.: Finance
Phone: (502) 875-8500
E-mail: Jrogers@fewpb.com

- 3.2 Second reading and adoption of An Ordinance of the City of Frankfort, Kentucky, Authorizing the Issuance of Not to Exceed \$2,630,000 Principal Amount of City of Frankfort, Kentucky, Governmental Project Revenue Obligations, Series 2002; Approving and Authorizing the Execution and Delivery of a Loan Agreement Between the City and the Board of Trustees of the Kentucky Bar Center, a Trust Indenture Securing the Revenue Obligations and Related Documents; Authorizing the Public, Competitive Sale of the Revenue Obligations; and Taking Other Related Actions

Purpose: The purpose of this item is to authorize, pursuant to the provisions of Chapter 58 and Sections 82.105 to 81.180, of the Kentucky Revised Statutes, the issuance of a revenue bond to facilitate a building addition for the Kentucky Bar Center located at 514 West Main Street. Kentucky statutes set forth requirements for the issuance of these bonds. In this particular case the City of Frankfort acts as a conduit for the issuance of the bonds and the financial obligations for the payment of the bonded indebtedness is the obligation of the Kentucky Bar Center.

Background: The City of Frankfort authorized the issuance of governmental project revenue obligations in 1993 to the Board of Trustees of the Kentucky Bar Center for financing the acquisition, construction, installation and equipping of an addition to the Kentucky Bar Center. Sam Connor and Bruce Davis, representing the Kentucky Bar Center, will be in attendance to address the Board of Commissioners on this item.

Recommendation: Approval

Attachments: Ordinance

Contact Person:

Name: James C. Rogers
Title: Director
Dept.: Finance
Phone: (502) 875-8500
E-mail: Jrogers@fewpb.com

- 3.3 First reading of An Ordinance Amending Frankfort Municipal Code Section 13.04.090 Special Charges or Classifications for Peculiar or Unusual Uses of the Sewer System

Purpose: The purpose of this item is to amend the Municipal Code to update the fee schedule for peculiar or unusual uses for commercial haulers hauling sewage items or volumes to the Wastewater Plant. In addition, the ordinance eliminates a prior application procedure for

requesting special rates and charges for this purpose. This procedure was used in the past as an appeal procedure to the Board of Commissioners which has been discontinued.

Amendment: This ordinance had its first reading on September 19, 2002, with an effective date of November 1, 2002. Following discussion at the October 7, 2002 Work Session, by general consent the Board changed its effective date to December 1, 2002 so the public can be made aware of the changes prior to the effective date of the ordinance.

Recommendation: Approval

Attachments: Ordinance

Contact Person:

Name: William Scalf
Title: Director
Dept.: Sewer
Phone: (502) 875-2448
E-mail: Wscalf@fewpb.com

3.4 First reading of An Ordinance Amending Ordinance No. 1, 1998 Series, and Frankfort Municipal Code Section 13.04.060 - Sewer Service Charges Based on Water Usage

Purpose: The purpose of this item is to give final approval by the Board of Commissioners to a pending rate increase for the sanitary sewer service. The last rate change was performed in 1998. Over the past six months the Board of Commissioners has conducted numerous work sessions in the analysis of the rate structure. This analysis was further facilitated by the conduct of a formal rate analysis performed by Charles T. Mitchell Co. from Frankfort.

The general level of adjustments for the utility rates is at the level of 30%. Per the report, future rate adjustments to support operational and capital needs are projected at 10% in 2003 and 10% in 2004, subject to final review and action by the Board of Commissioners.

Background: A schedule of rates and charges for the use of and services rendered by the municipal sewer system shall be paid by the owner or occupant of each and every lot, parcel of land, building or premises through the city discharging sewage, water or other liquid wastes connected to the sewer system. These rates and charges are computed and billed monthly and are based on water consumption.

Financial Analysis: This amendment shall become effective upon the water/sewer billing to be mailed in November, 2002. The Sewer Department can begin implementation of system improvements identified during the Sanitary Sewer Overflow Plan (SSOP) evaluations.

City Manager Comments: The Sewer Department has been very proactive over the last few years identifying deficiencies in the current sewer system and corrective actions. The Board of Commissioners has reviewed and accepted many of the recommendations and improvements as well as planning for future capital construction. The rate adjustments have been limited to a minimum requirement to meet these maintenance and capital needs over the next three years.

Amendment: This ordinance had its first reading on September 19, 2002, to become effective upon water/sewer billing mailed in November, 2002. Following discussion at the October 7, 2002 Work Session, by general consent the Board changed it to become effective upon water/sewer billing mailed in December, 2002 so the public can be made aware of the changes prior to the effective date of the ordinance.

Recommendation: Approval

Attachments: Ordinance

Contact Person:

Name: William Scalf
Title: Director
Dept.: Sewer
Phone: (502) 875-2448
E-mail: Wscalf@fewpb.com

3.5 First reading of An Ordinance Amending Frankfort Municipal Code Section 13.04.040 Connection Charges

Purpose: The purpose of this item is to further amend the Municipal Code involving the sewer service relative to connection charges. This is the companion item to the above item involving recommended changes to the Municipal Code in relation to the sanitary sewer rate evaluation performed by the consultant.

Background: The fee schedule has not been changed since June 1, 1989 and the sewer connection charges were referred to as "Tap-on Fees." The amended ordinance now establishes these charges as capacity charges in the sewer system.

Financial Analysis: The increase is required to bring capacity charges current with the infrastructure investment.

Amendment: This ordinance had its first reading on September 19, 2002, to become effective as to sewer service rendered or billed on or after November 1, 2002. Following discussion at the October 7, 2002 Work Session, by general consent the Board changed it to become effective as to sewer service rendered or billed on or after December 1, 2002 so the public can be made aware of the changes prior to the effective date of the ordinance.

Recommendation: Approval

Attachments: Ordinance

Contact Person:

Name: William Scalf
Title: Director
Dept.: Sewer
Phone: (502) 875-2448
E-mail: Wscalf@fewpb.com

3.6 First reading of An Ordinance Closing Portions of Leonardwood Drive, Woodgate Road and Tupelo Trail

Purpose: The purpose of this item is to consider an ordinance to close or abandon the existing platted right-of-way across property owned by Ashwood Place Limited. KRS 82.405 states that if the legislative body of a city determines that a public way located within the city should be closed, the property owners in or abutting the public way must agree to the closing prior to the legislative body action. Ashwood Place has fulfilled this obligation and obtained written permission from all abutting property owners to close portions of Woodgate Road, Tupelo Trail, and Leonardwood Drive.

Background: On August 21, 1997 the Planning Commission approved a preliminary subdivision plat for the area that lies behind Poplar Creek Plaza and east of the existing Leonardwood Drive stub off Kings Daughter Drive. The purpose of the plat was to abandon existing platted right-of-way and to plat a portion of Leonardwood Drive in a re-aligned configuration. The re-aligned

configuration is designed to tie into the existing portion of Leonardwood Drive. The new roadway configuration will establish three parcels for professional office and commercial development. Prior to finalizing the plat, the City and the adjacent property owner entered into a land swap agreement in order to create lots that conform to planning and zoning requirements.

The City and Ashwood Place entered into the land swap agreement on January 28, 1998. The agreement transferred 1.886 acres of City property to Ashwood Place in exchange for 2.176 property from Ashwood Place. The result would allow Leonardwood to be re-aligned with Ashwood Place constructing approximately 295' of roadway and the city constructing the remaining portion.

Recommendation: Approval

Attachments: Ordinance

Contact Person:

Name: Jeff Hackbart
Title: Director
Department: Public Works
Phone: (502) 875-8563
E-Mail: jhackbrt@fewpb.com

4. ORDERS

- 4.1 Adoption of An Order Authorizing the Mayor to Enter Into a Memorandum of Understanding with Ashwood Place Limited for the Trading of Parcels of Land which are Contiguous and Abut Leonardwood Drive, and to Provide for the Relocation of a Portion of Leonardwood Drive

Purpose: This is a companion item to Item 3.6 on this agenda. The purpose of this item is to enter into a Memorandum of Understanding to provide for the trading of parcels of land so that the City of Frankfort will own all of City of Frankfort Lot 1 and Ashwood Place Limited will own all of Ashwood Place Lot 3, and to provide for the relocation of a portion of Leonardwood Drive to permit the portion of said street adjacent to Wal-Mart property to connect with the portion of the street now intersecting with Kings Daughter Drive, as shown on the Leonardwood Drive Extension Plat as revised 09/02.

Background: City Solicitor Jim Higgs has forwarded this document to the Board of Commissioners for final execution, following a corporate execution by Ashwood Place Ltd.

Recommendation: Approval

Attachments: Order
Memorandum of Understanding dated 9/23/02

Contact Person:

Name:	Jim Higgs	Jeff Hackbart
Title:	City Solicitor	Director
Department:	City Manager's Office	Public Works
Phone:	(502) 227-2750	(502) 875-8563
E-Mail:		jhackbrt@fewpb.com

- 4.2 Adoption of An Order Adopting an Interlocal Agreement Between the City of Frankfort and Franklin County Fiscal Court for the Operation and Maintenance of Youth Ballfields at Lakeview Park

Purpose: The purpose of this item is to formalize an agreement with the Franklin County Fiscal

Court on use of County property for community recreation purposes. This agreement refers to County park property at Lakeview Park involving use of community ballfields. The current agreement providing for operation and maintenance of the ballfields has expired.

Background: This item was tabled from the Regular Meeting on 9/19/02 for clarification on maintenance terms. Director of Parks & Recreation Steve Brooks will be in attendance to address the item. The agreement has been finalized and is being forwarded for final acceptance.

Recommendation: Approval

Attachments: Order
Interlocal Agreement dated 2/21/02

Contact Person:

Name: Steve Brooks
Title: Director
Dept.: Parks & Recreation
Phone: (502) 875-8574
E-mail: parkrec@mis.net

5. RESOLUTION

5.1 Approval of a Resolution Authorizing the Filing of an Application for 2002 Recreational Trails Program Grant Funds

Purpose: This grant application is for building the Wetland Trail, including trail loops and facilities in the wetland portion of the Cove Spring Park/Nature Preserve. This project will involve roughly two miles of trails, an overlook, 200 yards of elevated walkway, a shelter/interpretive center, and a blind for wildlife observation.

Background: The City of Frankfort received a Heritage Land Conservation grant to acquire the Cove Spring/wetland property for the purpose of creating a Nature Preserve/Park with trails throughout the 100 acres. The City has received a grant from the Kentucky Recreational Trails Program to build trails, railings, stream crossings, and interpretive signs on the 50- acre Cove Spring property. The prior grant anticipated an additional trail in the 50-acre wetland property.

The wetland property, where the Wetland Trail would be constructed, is located within the City limits near the northern City boundary, west of U.S. 127. The land has varying degrees of wetness through the year as well as several acres of standing water. It is among the rare wetlands in the Bluegrass Region. The wetland is biologically very diverse and helps to purify the water that flows through it. The area has great potential for recreation, education, and research.

Trail and facilities: The Wetland Trail would begin at a parking lot on U.S. 127 near the eastern end of the wetland property. One portion of the trail would descend into the wetland from the parking lot and connect to an elevated walkway in the wetland/open water area. Another portion, the perimeter loop would skirt the permanently wet portion of the wetlands and loop through the whole lowland property. The third portion, the overlook loop would travel up the abandoned U.S. 127 corridor to an overlook before reconnection to the perimeter trail.

The City will establish the parking lot for the trail with gravel requested in the grant application. The trail head will be located adjacent to the parking lot. Funds for the sign and a small kiosk at the trail head are requested in the grant application. A ramp made of treated lumber will be required to descend from the parking lot to the lowland area—a vertical distance of roughly 20 feet. Materials for this ramp are requested in the grant application. A short trail will connect the ramp to the elevated walkway. The City will construct this trail.

The elevated walkway with a shelter/interpretive center will be the centerpiece of the Wetland Trail. The walkway will skirt and cross the open water area in the wetland. A rustic shelter/interpretive center will be attached to the elevated walkway over the water. The 10'x20 shelter will have interpretive displays, seating for rest, observation, and instruction, and controlled access to the water for study and demonstration. The elevated walkway will be 7 feet wide and roughly 200 yards long. It will be constructed primarily with 2-inch, treated lumber, will have railings to insure safety, and will be handicapped accessible. Materials for the elevated walkway and shelter as well as design costs, and some labor costs are included in the grant request. The elevated walkway will be connected to a wildlife observation blind and the perimeter trail. Funds for the blind are requested in the grant application. A gate and limited fencing will be required at the entrance to the elevated walkway to control access. Funds for the gate and fencing are requested in the application. The perimeter loop, that travels from the parking lot trail head throughout the lowland area for roughly 1 ½ miles, will be constructed and surfaced by the city. It will connect to the observation blind and elevated walkway. It will be 6 feet wide and will be surfaced by wood chips.

The overlook loop will extend from the trail head and ascend to an overlook and then descend to connect with the perimeter loop (roughly ½ mile). The surface of the ascending portion will be an abandoned asphalt roadway (old U.S. 127) which is in good condition. The City will carry out needed work on the road. The City will carry out modifications of the overlook site to accommodate visitors, and some minor pruning to enhance the view. Some railing will be required at the overlook and this is included in the grant request.

Financial Analysis: The project is anticipated to cost \$102,000. The application seeks \$46,000 from the Kentucky Recreational Trail Program. The City will provide \$41,000 match in the form of cash and in-kind account. Another \$15,000 will be provided as City match in the form of a private donation of land.

Amendment: At the October 7, 2002 Work Session, the following clarifications were made:

- (1) Total estimated project cost is \$103,700 rather than \$102,000;
- (2) City's cash and in-kind match is \$42,700;
- (2) Donated land is estimated at \$15,000 pending receipt of the appraisal;
- (3) Gravel will not be requested in the grant application (as stated in second paragraph under heading "Trail and facilities");
- (4) Authorization is requested for the Mayor to execute all grant related documents.

Recommendation: Approval

Attachments: Resolution

Contact Person:

Name:	Steve Brooks	Andrew Cammack
Title:	Director	Arborist
Dept.:	Parks & Recreation	Parks & Recreation
Phone:	(502) 875-8574	227-4326
E-mail:	parkrec@mis.net	acammack@fewpb.net

5.2 Approval of a Resolution/Municipal Order Delegating Authority to the Executive Director of the Kentucky Bar Center for Approving and Ordering the Award of \$2,390,000* Principal Amount of City of Frankfort, Kentucky Governmental Project Revenue Obligations, Series 2002 to the Lowest and Best Bidder Upon the Occasion of the Public Competitive Sale of Such Obligations

Purpose: The purpose of this item is to delegate authority for selecting the best bond bid to the Executive Director of the Kentucky Bar Center. This procedure is authorized under State law. The bids are scheduled to be received by the Kentucky Bar Center, 514 West Main Street, Frankfort, Kentucky 40601, on 10/17/02.

Background: This is a companion item to agenda Ordinance 3.2 above, authorizing the issuance of governmental project revenue bonds to facilitate a building addition for the Kentucky Bar Center.

Recommendation: Approval

Attachments: Resolution

Contact Person:

Name: James C. Rogers
Title: Director
Department: Finance
Phone: (502) 875-8500
E-mail: Jrogers@fewpb.com

6. CONSENT CALENDAR

Items on the Consent Calendar are considered to be routine by the Board of Commissioners and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Commission member so requests, in which event the item will be removed from the Consent Calendar and considered separately. The City Manager will read the items recommended for approval.

6.1 Bid Authorization - Diesel Exhaust Removal System (Fire Department)

Background: A system to remove diesel exhaust from the engine bay at Fire Department Station Four was budgeted and planned for this fiscal year. This system will automatically remove the diesel fumes and soot produced by the fire apparatus and ambulances. Diesel exhaust removal prevents the carbon monoxide and diesel exhaust from entering the living area of the fire station. The installation of this system will leave only one station yet to be equipped.

Financial analysis: \$24,500 is budgeted in equipment account 100.42.56550.

Recommendation: Authorize solicitation of bids for diesel exhaust ventilation system for the East Frankfort Fire Station

Attachments: None

Contact Person:

Name: Wallace Possich
Title: Chief
Department: Fire
Phone: (502) 875-8556
E-Mail: Wpossich@fewpb.com

6.2 Bid Award - One-Half Ton Pick Up Truck (Public Works)

Background: On 9/5/02, two (2) bids were received for one 2002 Crew Cab ½ Ton Pick Up Truck. The apparent low bidder was Jeff Jones Chevrolet of Versailles for \$25,556.00 with 90 days for delivery.

Financial Analysis: Funds for the truck are available in Sanitation Division equipment account 100.65.56550.

Recommendation: Award the bid for 2002 Crew Cab ½ Ton Pick Up Truck to Jeff Jones Chevrolet of Versailles.

Attachments: Bid Tabulation Sheet dated 09/05/02, Bid #22007-62

Contact Person:
Name: Jeff Hackbart
Title: Director
Department: Public Works
Phone: (502) 875-8563
E-Mail: jhackbrt@fewpb.com

6.3 Bid Award - 4 Cubic Yard Diesel Dump Truck with Snow Plow and Salt Spreader (Public Works)

Background: On 9/5/02, six (6) bids were received for one 2002 Four-Cubic Yard Diesel Dump Truck with Snow Plow and Salt Spreader. The apparent low bidder was Jeff Jones Chevrolet of Versailles for \$63,054.00 with 120-150 days for delivery.

Financial Analysis: Funds for the truck are available in Street Division equipment account 100.62.56550.

Recommendation: Award the bid for 2002 Four-Cubic Yard Diesel Dump Truck with Snow Plow and Salt Spreader Jeff Jones Chevrolet of Versailles.

Attachments: Bid Tabulation Sheet dated 09/05/02, Bid #22007-62

Contact Person:
Name: Jeff Hackbart
Title: Director
Department: Public Works
Phone: (502) 875-8563
E-Mail: jhackbrt@fewpb.com

6.4 Bid Award - 25 Cubic Yard High Compaction Garbage Packer (Public Works)

Background: On 9/5/02, six (6) bids were received for one 25 Cubic Yard High Compaction Garbage Packer. The apparent low bidder was Municipal Equipment of Louisville for \$85,975.00 with 90-120 days for delivery.

Financial Analysis: Funds for the garbage packer are available in Sanitation Division equipment account 100.65.56550.

Recommendation: Award the bid for one 25 Cubic Yard High Compaction Garbage Packer to Municipal Equipment of Louisville.

Attachments: Bid Tabulation Sheet dated 09/05/02, Bid #220011-65

Contact Person:
Name: Jeff Hackbart
Title: Director
Department: Public Works
Phone: (502) 875-8563
E-Mail: jhackbrt@fewpb.com

6.5 Bid Award - Demolition, 321 East Third Street (Planning & Building Codes)

Purpose: In accordance with the Property Maintenance Code, Section 110.1, the City ordered the property owner to either repair or raze the condemned building within thirty days or the City would raze the building and charge the costs incurred to the real estate that remains. The property was properly noticed in accordance with the Property Maintenance Code.

On 5/15/01, Mr. Charles Hall, the property owner, was issued an order from the City of Frankfort to raze or repair the referenced structure within 30 days.

On 8/21/01, the City had requested the approval of demolition of this same building before the Architectural Review Board (ARB). On 8/16/01, the property owner provided a notarized letter stating that he requested the item be withdrawn from the agenda due to the fact that he intended to begin repairing and renovating this property within 30 days. The ARB honored the owner's request and withdrew the item without stipulating any time frames.

To the present date, the City has no evidence of any repairs or renovation being permitted, applied for, or made by the owner. The owner has indicated in writing that he does not object to the City razing the structure and placing a lien on the property.

Staff reinitiated the request for demolition to the ARB. During the 7/30/02, Architectural Review Board meeting, the item was tabled to 8/29/02.

On 8/29/02, the ARB issued a certificate of appropriateness for the demolition of the home at 321 E. Third Street. The owner was properly notified of the meeting and the outcome.

On 9/5/02, a bid invitation was prepared and issued. The bid opening occurred at 1:30 p.m. on 9/30/02.

John Fehsal was the apparent low bidder at \$5,992.00. Norwood Construction Inc., was next lowest at \$6,500.00. Ray Williams, CAD, was the highest bid of \$7,120.00.

Financial Analysis: The Planning and Building Codes Department has budgeted \$10,000.00 for demolitions. On 9/9/02, the City Commission approved the demolition of 438 Owenton Rd at a cost of \$7,400, which leaves a balance of \$2,600.00. In order to execute the demolition and award the bid to Mr. John Fehsal, an additional \$3,392.00 will need to be transferred from Contingencies (account #100.95.53295). NOTE: the total costs will be returned to the City once the lien is satisfied.

Recommendation: (1) Award bid to John Fehsal to demolish the building at 321 E. Third Street at a cost of \$5,992.00.
(2) Transfer \$3,392.00 from account #100.95.53295 to cover the amount over the budgeted item.
(3) Authorize the City Manager to execute the memorandum of agreement.

Attachments: Memorandum of Agreement dated 10/10/02
Bid tabulation

Contact Person:

Name: Gary Muller
Title: Director
Department: Planning & Building Codes
Phone: (502) 875-8513
E-Mail: GMuller@fewpb.com

6.6 Bid Award - Demolition, 325 East Third Street (Planning & Building Codes)

Purpose: In accordance with the Property Maintenance Code, Section 110.1, the City ordered the property owner to either repair or raze the condemned building within thirty days or the City would raze the building and charge the costs incurred to the real estate that remains. The property was properly noticed in accordance with the Property Maintenance Code.

Background: On 5/15/01, Mr. Ron Moore, the property owner, was issued an order from the City of Frankfort to raze or repair the referenced structure within 30 days.

On 8/21/01, the City had requested the approval of demolition of this same building. On 8/16/01, the property owner provided a notarized letter stating that he requested the item be withdrawn from the agenda due to the fact that he intended to begin repairing and renovating this property within 30 days. The Board honored the owner's request and withdrew the item without stipulating any time frames.

On 4/23/02 and on 6/25/02, the Code Enforcement Board found the owner in violation and ordered the repair or removal of the home by 7/15/02. The owner on 7/15/02 met with me and we discussed the further code violation actions that will proceed and my ARB report that is being completed for this meeting. He then applied for an emergency permit to remove the collapsed porch roof only. This was only one of the several code violations existing on the site. He stated that thirty days would not be enough, but that 60 might work. The City has no evidence of any further repairs or renovation being permitted, applied for, or made by the owner. As of 10/2/02, the collapsed porch roof has not been removed.

During the 7/30/02, Architectural Review Board meeting, the item was tabled to 8/29/02. During the 8/29/02 meeting, the ARB issued a certificate of appropriateness for the demolition of the home at 325 E. Third Street. The owner was properly notified of the meeting and the outcome.

On 9/5/02, a bid invitation was prepared and issued. The bid opening occurred at 1:30 p.m. on 9/30/02.

John Fehsal was the lowest bidder at \$4,994.00. Mr. Ray Williams, CAD, was next lowest at \$5,000.00. Norwood Construction Inc., was the highest bid of \$5,800.00.

Financial Analysis: The Planning and Building Codes Department has budgeted \$10,000.00 for demolitions. On 9/9/02 the Board of Commissioners approved the demolition of 438 Owenton Rd at a cost of \$7,400, which leaves a balance of \$2,600.00. In order to execute the demolition and award the bid to Mr. John Fehsal, an additional \$2,394.00 will need to be transferred from Contingencies (account #100.95.53295). Provided the City Commission approved the demolition of 321 E. Third St., then the entire amount of \$4,994 will need to be transferred. NOTE: the total costs will be returned to the City once the lien is satisfied.

Recommendation: (1) Award bid to John Fehsal to demolish the building at 325 E. Third Street at a cost of \$4,994.00.
(2) Transfer \$4,994.00 from account #100.95.53295 to cover the amount over the budgeted item.
(3) Authorize the City Manager to execute the memorandum of agreement.

Attachments: Memorandum of Agreement dated 10/10/02
Bid tabulation

Contact Person:

Name: Gary Muller
Title: Director
Department: Planning & Building Codes
Phone: (502) 875-8513
E-Mail: GMuller@fewpb.com

6.7 Other - Declare Salvaged Windows and Doors as Surplus and Authorize Bids for Sale of Items (Office of City Manager)

Purpose: The purpose of this item is to declare windows and doors salvaged from demolition of property at 101 Watson Court as surplus and authorize bids for sale of the items.

Background: As part of the 1997 Flood Disaster Recovery Project under FEMA, the City of

Frankfort acquired 101 Watson Court following several meetings with the State Historic Preservation Office (SHPO), area residents, and the owner. The owner of 101 Watson Court requested that her home be acquired by the City and SHPO agreed to allow the demolition of the property, contingent upon preservation of the following items to be offered for re-use with first priority going to proposals which would incorporate the items into renovation of a structure listed in or eligible for listing in the National Register of Historic Places, and second priority going to proposals that do not specify a use for renovation or restoration of a historically eligible structure:

5 Lattice Window Sets	approximately 5'2" wide x 3'3.5" high
3 Double Sets of 9 Pane Windows	approximately 6'8" wide x 5'10" high
6 Single Sets of 9 Pane Windows	approximately 3'1" wide x 5'10" high
1 Arch Window	approximately 3'1" wide x 5'10" high
2 French Doors	approximately 3' wide x 7'5" high

Financial Analysis: Net proceeds from sale of the above items are to be placed into Account 540 to be used as local match for future projects or for projects which benefit low to moderate income households.

Recommendation: (1) Declare the windows and doors salvaged from 101 Watson Court as surplus property
(2) Authorize solicitation for bids for sale of the items in accordance with the Memorandum of Agreement executed between SHPO and the City of Frankfort

Attachments: None

Contact Person:

Name: Jo Shockley
Title: Grants Manager
Department: City Manager
Phone: (502) 875-8500
E-Mail: JShockley@fewpb.com

6.8 Personnel

<u>Personnel Action</u>	<u>Employee</u>	<u>Department</u>	<u>Effective Date</u>	<u>Other</u>
Retirement	Rick Carrier	Police	9/30/02	Authorize payment accrued leave
Appointment	Dustin Bowman	Police	10/22/02	Patrol Officer
Appointment	Paul Wise	Police	10/22/02	Patrol Officer
Confirmation	Scott True	Fire	10/15/02	Firefighter
Promotion	Scott Morgan	Fire	10/11/02	from Lieutenant to Captain
Promotion	Douglas Taylor	Fire	10/11/02	from Sergeant to Lieutenant
Promotion	Benjamin Boggs, II	Fire	10/11/02	from Firefighter to Sergeant
Promotion	Dudley Hudson	Public Works	10/11/02	from Maintenance Worker I to Equipment Operator I
Reclassification	Mark McKinney	Public Works	10/15/02	from Maintenance Worker I, Sanitation Division, to Bus Driver, Transit Division
Appointment	Thomas Downey	Public Works	10/14/02	Maintenance Worker I
Appointment	William Edington	Public Works	10/14/02	Maintenance Worker I

Recommendation: Approval

Attachments: None

Contact Person:

Name: Brenda Kersey
Title: Personnel Director

Department: City Manager
Phone: (502) 875-8500
E-Mail: BKersey@fewpb.com

7. BOARD APPOINTMENTS

7.1 Electric & Water Plant Board

8. OLD BUSINESS

9. NEW BUSINESS

9.1 Sewer Service, 797 Hillwood Avenue

Purpose: The purpose of this item is to consider reallocation of capital funds within the Sewer Department budget for extension of a public sewer to service 797 Hillwood Avenue. The extension of the public sewer has been identified as an alternate to the property owner providing a lateral service connection to existing sewer services.

Background: On July 15, 2002, the owner and occupants of the property at 797 Hillwood Avenue presented information to the Board of Commissioners concerning lateral problems they are currently experiencing. The lateral servicing this home crosses two properties to empty into a sewer main currently terminating in the backyard of 813 Hillwood Avenue. The homeowner has requested that this main be extended to their property line to allow them to lay their lateral to the newly constructed sewer line.

Upon review of the Department's as-built drawings and field investigation, it was determined that there is currently a City maintained sewer in the street to the front of the property. Videotaping of this sewer line revealed that this sewer has a lateral connection installed for this home that has never been utilized. However, this connection can only provide service to the first floor of the home. The homeowner would be required to install a pump to provide basement service. Furthermore, the existing 8" sewer at the back of the properties does not show on any as-built drawings on file at the Department. This is not an unusual situation in the sewer system as many back yard extensions were performed years ago, in some cases prior to annexation or connection to the public system.

In investigating the potential extension of the sewer line, it was identified that a budget reallocation would be required prior to the creation of the project. The status of the citizen request for sewer service was reviewed at the Board's Work Session on 10/7/02 and directed that the item be advanced for formal consideration at the Board's Regular Meeting on 10/10/02.

Financial Analysis: Laterals have always been the responsibility of the homeowner. The construction of this main extension, which would be subject to design recommendations by a consulting engineer, would still require a lateral connection by the property owner. The Sewer Department has registered that it has been a longstanding policy of the City that no extensions be made of less than an 8" design standard. In other terms, the property owner would be responsible for all lateral connections that are less than an 8" service.

The requested alternative, which will require acquisition of 3 easements and submittal to the Kentucky Division of Water for approval, has been estimated to cost \$30,200 including design and construction. Funding is not currently available in the Department budget. A second alternative would be for the homeowner and the residents of the two adjacent properties to find an acceptable routing of the lateral, and that a plumber be contracted by the homeowner to replace the existing lateral as necessary.

City Manager Comments: It appears evident that the property owner has several options pertaining to replacement of a defective lateral on the property. This situation would not require an extension of the public sewer system. Accordingly the recommendation is to reject the extension of the public sewer and assist the property owner in identifying options for lateral connection at private expense.

Recommendation: Denial.

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10. CITIZEN COMMENTS (Non-agenda items)

11. COMMISSIONER COMMENTS

12. CLOSED SESSION KRS 61.810 (1), (b), property

13. ADJOURNMENT

